



Attorney Docket No.: 40-001330US
Client Reference No.: 01-001330US

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **NANOSTRUCTURE AND NANOCOMPOSITE BASED COMPOSITIONS AND PHOTOVOLTAIC DEVICES** the specification of which x was filed on February 11, 2004 as Application No. 10/778,009.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under 35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

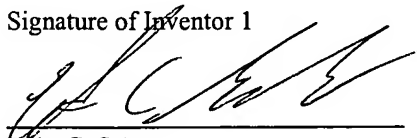
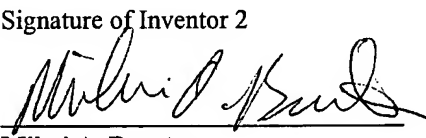
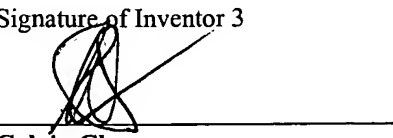
| Application No. | Filing Date |
|-----------------|-------------------|
| 60/408,722 | September 5, 2002 |
| 60/421,353 | October 25, 2002 |
| 60/452,038 | March 4, 2003 |

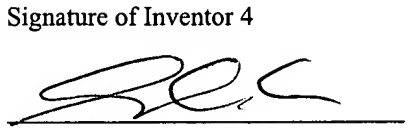
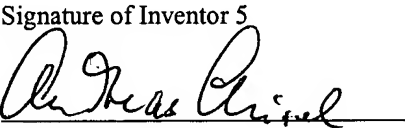
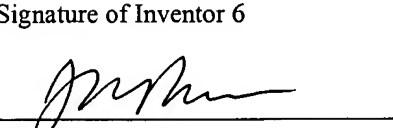
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

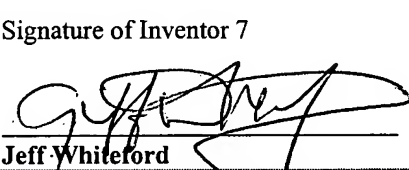
| Application No. | Date of Filing | Status |
|-----------------|-------------------|---------|
| 10/656,802 | September 4, 2003 | Pending |

| | | | |
|--------------------------|---|---|--------------------------------------|
| Full Name of Inventor 1: | Full Name: Erik C. Scher | | |
| Residence & Citizenship: | City: San Francisco | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 1040A Guerrero Street, San Francisco, California 94110 | | |
| Full Name of Inventor 2: | Full Name: Mihai A. Buretea | | |
| Residence & Citizenship: | City: San Francisco | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 1386 31st Avenue, San Francisco, California 94122 | | |
| Full Name of Inventor 3: | Full Name: Calvin Chow | | |
| Residence & Citizenship: | City: Portola Valley | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 455 Minoca Road, Portola Valley, California 94028 | | |
| Full Name of Inventor 4: | Full Name: Stephen Empedocles | | |
| Residence & Citizenship: | City: Mountain View | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 2507 Mardell Way, Mountain View, California 94043 | | |
| Full Name of Inventor 5: | Full Name: Andreas Meisel | | |
| Residence & Citizenship: | City: San Francisco | State/Foreign Country: California | Country of Citizenship: DE |
| Post Office Address: | Post Office Address: 12 Oakwood Street #4, San Francisco, California 94110 | | |
| Full Name of Inventor 6: | Full Name: J. Wallace Parce | | |
| Residence & Citizenship: | City: Palo Alto | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 754 Los Robles Avenue, Palo Alto, California 94306 | | |
| Full Name of Inventor 7: | Full Name: Jeff Whiteford | | |
| Residence & Citizenship: | City: Belmont | State/Foreign Country: California | Country of Citizenship: US |
| Post Office Address: | Post Office Address: 1908 Valdez Avenue, Belmont, California, 94002 | | |

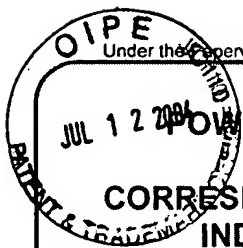
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---|---|---|
| Signature of Inventor 1  Erik C. Scher | Signature of Inventor 2  Mihai A. Buretea | Signature of Inventor 3  Calvin Chow |
| Date 5/25/04 | Date 5-25-04 | Date 5-25-04 |

| | | |
|--|--|--|
| Signature of Inventor 4  Stephen Empedocles | Signature of Inventor 5  Andreas Meisel | Signature of Inventor 6  J. Wallace Parce |
| Date 5/27/04 | Date 05/25/04 | Date 5/25/04 |

| |
|---|
| Signature of Inventor 7  Jeff Whitford |
| Date 05/25/04 |

declaration



**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|---------------------------------|
| Application Number | 10/778,009 |
| Filing Date | February 11, 2004 |
| First Named Inventor | Erik C. Scher |
| Title | NANOSTRUCTURE AND NANOCOMPOSITE |
| Art Unit | 1753 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 40-001330US |

I hereby appoint:

☒ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:



22798

PATENT TRADEMARK OFFICE

| Name | Registration Number |
|-------------------|---------------------|
| Matthew B. Murphy | 39,787 |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

| | | | | | |
|---|---|-------|----------------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Quine Intellectual Property Law Group, P.C. | | | | |
| Address | P.O. Box 458 | | | | |
| Address | | | | | |
| City | Alameda | State | CA | Zip | 94501 |
| Country | United States | | | | |
| Telephone | (510) 337-7871 | Fax | (510) 337-7877 | | |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

| | | | |
|-----------|----------------|-----------|--------------|
| Name | Matthew Murphy | | |
| Signature | | | |
| Date | 5/27/04 | Telephone | 650-331-2109 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|----------------|------|--------------|
| Typed or Printed Name | Juliana Hermes | | |
| Signature | | Date | July 7, 2004 |



STATEMENT UNDER 37 CFR 3.73(b)

Applicant: Erik C. Scher, et al.

Application No.: 10/778,009

Filed: February 11, 2004

Entitled: NANOSTRUCTURE AND NANOCOMPOSITE BASED COMPOSITIONS AND PHOTOVOLTAIC DEVICES

NANOSYS, Inc.

, a

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.

OR

B. [] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel ____, Frame ____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

5/28/04
Date

Matthew Murphy
Signature

Matthew Murphy
Typed or printed name
vp, Intellectual Property

Title

COPY

Attorney Docket No.: 40-001330US
Client Reference No.: 01-001330US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Erik C. Scher, of 1040A Guerrero Street San Francisco, California 94110, Mihai A. Buretea of 1386 31st Avenue, San Francisco, California 94122, Calvin Chow of 455 Minoca Road, Portola Valley, California 94028, Stephen Empedocles, 2507 Mardell Way, Mountain View, California 94043, Andreas Meisel of 12 Oakwood Street #4, San Francisco, California 94110, J. Wallace Parce of 754 Los Robles Avenue, Palo Alto, California 94306, and Jeff Whiteford of 1908 Valdez Ave., Belmont, California 94002, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: NANOSTRUCTURE AND
NANOCOMPOSITE BASED
COMPOSITIONS AND
PHOTOVOLTAIC DEVICES

Filing Date: February 11, 2004

Application No.: 10/778,009; and

WHEREAS, NANOSYS, Inc., a Delaware corporation, located at 2625 Hanover Street, Palo Alto CA 94304, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

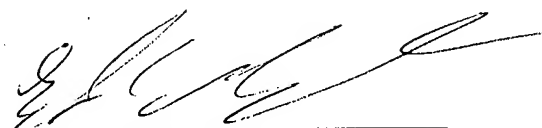
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.


NOT FOR RECORDATION

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

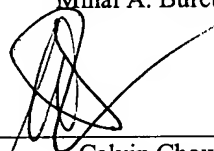
Dated: 5/25/04


Erik C. Scher

Dated: 5-25-04


Mihai A. Buretea

Dated: 5-25-04


Calvin Chow

Dated: 5/27/04


Stephen Empedocles

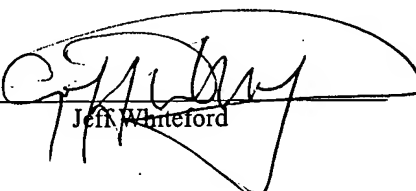
Dated: 05/25/04


Andreas Meisel

Dated: 5/25/04


J. Wallace Parce

Dated: 05/25/04


Jeff Whiteford

NOT FOR RECORDATION